

DATE 11/8/70

PAGE 7

2 IN HOUSE FAVOR '50 DETENTION ACT

Argue Against Repeal While
Supporting Revisions

WASHINGTON, Sept. 10 (AP)—Support by the Nixon Administration for repeal of the Emergency Detention Act was criticized today by two members of the House Internal Security Committee.

The act, passed in 1950, empowers the Attorney General to order detention of individual potential subversives in time of declared war, invasion of the United States or insurrection aiding a foreign government.

Advocates of repeal contend that the law could be used as a repressive measure against dissenters.

Assistant Attorney General J. Walter Yeagley, head of the Justice Department's Internal Security Division, said today that repeal of the law would quell unfounded rumors that it might be used against Black Panthers and other radicals and would not prevent action against subversives in time of war.

But Representative Richard H. Ichord, Democrat of Missouri, who is chairman of the House committee, suggested that the law was needed, although it might need revision. He said that if the opposition to it was unfounded, the answer was to educate the public on what it really does.

Recent Bombings Cited

"We've witnessed a number of acts of bombings in recent months — some of them by members of organizations that advocate the overthrow of the Government," Mr. Ichord said. "Where is the law that protects the Government against these people in time of war?"

Mr. Yeagley cited 14 laws that he said would still be in force against saboteurs and espionage agents, but Mr. Ichord said that these laws permitted the Government to act only after subversive acts had been committed.

Representative John M. Ashbrook, Republican of Ohio, said that Mr. Yeagley's arguments for repeal of the act "almost convince me" that the act should not be repealed.

"You refer to them [the opponents fears] as alarmist, unfounded, unwarranted," Mr. Ashbrook said, "and then turn right around and recommend the act be repealed."

Role of Roosevelt

Mr. Ichord and Mr. Ashbrook contended that the act's safeguards — under which suspected saboteurs must be formally accused and given hearings — would be wiped out by repeal and that the President would be left with the same power that President Roosevelt used during World War II to put 112,000 Japanese-Americans into detention camps.

Mr. Yeagley said that he knew of "no way" the act could be used against Black Panthers or any dissenters unless they were individually charged with subversive acts in support of a foreign government in time of national crisis.

Mr. Ichord said he was considering amendments that would keep the act in force but clarify that it could not be used against dissenters. He said he would also try to strengthen its safeguards for accused saboteurs.